IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LIBERTY	TOWERS, LLC,	:

Plaintiff,

: CIVIL ACTION

v. : : NO. 10-1666

ZONING HEARING BOARD OF THE
TOWNSHIP OF LOWER MAKEFIELD,
BUCKS COUNTY, PENNSYLVANIA, ET
AL.,
:

:

Defendants.

:

ORDER

AND NOW, this _____ day of September, 2010, upon consideration of Defendant Lower Makefield Township's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12 (b)(6) (Doc. 9) and Plaintiff Liberty Towers, LLC's Response in Opposition thereto (Doc. 12), IT IS HEREBY ORDERED and DECREED that Defendant's Motion is DENIED.

IT IS FURTHER ORDERED THAT upon consideration of Defendant Edelstein's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12 (b)(1) and 12 (b) (6) (Doc. 11) and Plaintiff Liberty Towers, LLC's Response in Opposition thereto (Doc. 13), IT IS HEREBY ORDERED and DECREED that Defendant's Motion is DENIED.

IT IS FURTHER ORDERED THAT Defendant Edelstein's Motion for Leave to File a Reply (Doc. 14) and Motion for Leave to File a Sur-Reply (Doc. 16) are **DENIED**.

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, U.S.D.J.